

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

MORNINGSIDE CHURCH, INC., *et al.*,

Plaintiffs-Appellants,

v.

LESLIE RUTLEDGE, in her official capacity as the Attorney General for the State
of Arkansas, *et al.*,

Defendants-Appellees.

*Appeal from the United States District Court
for the Western District of Missouri*

**NOTICE OF PARTIAL SETTLEMENT AND JOINT MOTION TO
DISMISS APPEAL WITH RESPECT TO APPELLEE LESLIE RUTLEDGE**

Appellants Morningside Church, Inc. (“Morningside Church”), Morningside Church Productions, Inc. (“Morningside Church Productions”), and Pastor Jim Bakker (“Pastor Bakker”) (collectively, the “Morningside Parties”), and Appellee Leslie Rutledge, in her official capacity as the Attorney General for the State of Arkansas (“Rutledge”), hereby provide the Court with notice that the dispute between them at issue in this appeal has been resolved by a settlement that renders this appeal moot with respect to Rutledge only, and jointly move the Court to enter

its order dismissing the appeal with respect to Rutledge only. In support of their motion, the Morningside Parties and Rutledge state:

1. On September 9, 2021, Morningside Church Productions, Pastor Bakker, and Rutledge entered into a settlement agreement and executed a Consent Judgment in connection with a lawsuit filed by Rutledge in the Circuit Court of Pulaski County, Arkansas, styled *State of Arkansas, ex rel. Leslie Rutledge, Attorney General v. Morningside Church Productions, Inc., et al.*, Case No. 60CV-20-3460, and submitted the same for approval by that court.

2. In connection with that settlement agreement, Morningside Church Productions, Pastor Bakker, and Rutledge stipulated that the Civil Investigative Demand issued by Rutledge seeking disclosure of documents and information from the Morningside Parties, which is at issue in this appeal, “would no longer be necessary,” rendering this appeal moot as to Rutledge.

3. The Morningside Parties and Rutledge are each to bear their own costs and attorney fees incurred in this appeal.

WHEREFORE, Appellants Morningside Church, Inc., Morningside Church Productions, Inc., and Pastor Jim Bakker, and Appellee Leslie Rutledge, in her official capacity as the Attorney General for the State of Arkansas, respectfully request the Court to enter its order dismissing this appeal as to Rutledge only, on the terms set forth herein.

Respectfully submitted,

/s/ *Derek A. Ankrom*

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CERTIFICATE OF COMPLIANCE

1. This motion complies with the length limit requirements of Fed. R. App. P. 27(d)(2) because it contains 610 words.

2. This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in size 14, Times New Roman font.

/s/ *Derek A. Ankrom*

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of September, 2021, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ *Derek A. Ankrom*